HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 4440 of 2007

Between:

The Sivani School Parents Association (Regd.),
Hyderabad

... Petitioner

And

The Sivani the International School,
Banjara Hills, Hyderabad,
Rep. By its Principal & others

... Respondents

:: O R D E R ::

Counsel for respondent Nos. 1 and 2: Shri D. Prakash Reddy,
Senior Advocate assisted by
Shri P. Radhive Reddy
Counsel for respondent No.4 : Shri S.R. Ashok,
Senior Advocate assisted by
Shri Mohd. Raheemuddin
Counsel for respondent No.5 : Government Pleader for
School Education
Counsel for respondent No.6 : Shri A. Rajashekar Reddy
Assistant Solicitor General

July 30, 2007

Per G.S. Singhvi, CJ

Letter dated 18.02.2007 sent to one of us i.e. the Chief Justice by the Sivani School Parents Association, Hyderabad with the request that the management of the school be restrained from closing down the school, was treated as a petition in public interest.

Although while issuing notice, we had expressed that an important question of law relating to the right of the management of the private school to close down the school at any time would require deeper examination, in view of the subsequent developments, we do not consider it necessary to decide that question and leave the same to be decided in some future litigation.

It is borne out from the record that pursuant to the mandatory interim direction given by the Court, the management of the Shivani International School, Road No.4, Banjara Hills, Hyderabad allowed the students of class X to continue their studies and the Council for the Indian School Certificate Examinations (for short, 'the Council') has also granted affiliation for a period of one year to enable the students of class X to take the ICSE examination, 2008. Shri S.R. Ashok, Senior Counsel appearing for the Council has placed before the Court xerox copy of letter dated 11.07.2007 sent to him by Additional Secretary and Officiating Chief Executive and Secretary of the Council.

Shri D. Prakash Reddy, learned Senior Counsel appearing for the school says that the management has reduced the fees.

Since the management of the school has allowed the students to continue their studies in class X and the Council has graciously granted affiliation to the school for a period of one year, we deem it proper to close the proceedings of this case with the hope that the management of the school will, before taking any such drastic action, consult the parents of the students and the concerned authorities of the Education Department. Ordered accordingly.

As a sequel to the above, W.P.M.P. Nos. 11773, 12147, 15445 of 2007 filed by the petitioner are disposed of as infructuous.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

July 30, 2007
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